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## Attorneys for Chapter 11 Debtor and Debtor in Possession

UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA  
LOS ANGELES DIVISION

1 **TO THE HONORABLE SHERI BLUEBOND, UNITED STATES BANKRUPTCY  
2 JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA:**

3 Escada America LLC, a Delaware limited liability company, (the “Debtor”), the debtor  
4 and debtor in possession in the above-captioned chapter 11 bankruptcy case, hereby respectfully  
5 files its chapter 11 status report in advance of the chapter 11 status conference hearing set for  
6 November 30, 2022.

7 **A. General Background and Ongoing Mediation**

8 1. The Debtor commenced its bankruptcy case by filing a voluntary petition under  
9 chapter 11 of the Bankruptcy Code on January 18, 2022, (the “Petition Date”).<sup>1</sup> The Debtor  
10 continues to manage its financial affairs, operate its business, and administer its bankruptcy  
11 estate as a debtor in possession.

12 2. On May 18, 2022, the Office of the United States Trustee (the “UST”) appointed  
13 an official committee of unsecured creditors (the “Committee”) comprised of three committee  
14 members: (1) Simon Property Group, Inc.; (2) Ala Moana Anchor Acquisition, LLC, c/o  
15 Brookfield Properties Retail, Inc.; and (3) 717 GFC, LLC c/o Wharton Properties. ECF 172.<sup>2</sup>

16 3. Through a series of stipulations between the Debtor and Committee, the hearing  
17 on the approval of a disclosure statement was continued many times, and the Debtor agreed to  
18 withdraw its plan and disclosure statement by no later than September 28, 2022. ECF 291.

19 4. On September 26, 2022, the Debtor voluntarily withdrew its plan and disclosure  
20 statement. ECF 315.

21 5. The Debtor and the Committee stipulated to attend a mediation. ECF 291.

22 6. On November 8, 2022, principals and counsel for the Debtor, the Committee, and  
23 Mega International LLC (“Mega”), Escada Sourcing and Production LLC (“ESP”), Eden Roc

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25 <sup>1</sup> On May 4, 2022, the Debtor amended its voluntary petition so as to redesignate this case  
from a subchapter V, small business reorganization, to a traditional chapter 11 reorganization  
[ECF 149].

26 <sup>2</sup> On August 24, 2022, the UST removed 717 GFC LLC from the Committee, leaving a  
27 committee of two members: (1) Simon Property Group, Inc.; and (2) Ala Moana Anchor  
Acquisition, LLC, c/o Brookfield Properties Retail, Inc. ECF 292.

1 International LLC (“Eden Roc”, together with Mega and ESP, the “Secured Creditors”),  
2 personally attended a first session of mediation at Debtor’s counsel’s office in Los Angeles,  
3 California to try to resolve their disputes. Although the parties mediated in good faith, they were  
4 unable to resolve their disputes. The parties agreed to attend further mediation sessions by  
5 remote means.

6 7. Principals for the Committee and the Secured Creditors attended via  
7 videoconference a second session of mediation on November 15, 2022. While the parties tried  
8 in good faith to resolve their disputes, they were not able to do so at that mediation session.

9 8. Principals for the Committee and the Secured Creditors attended via  
10 videoconference a third session of mediation on November 17, 2022. The parties continued to  
11 make progress toward resolving their disputes.

12 9. The Committee, the Secured Creditors, and the Debtor desire to continue the status  
13 conference hearing and all other matters in this case set for hearing on November 30, 2022, to  
14 December 14, 2022, to permit settlement discussions to continue in the hopes of reaching a  
15 resolution. The parties anticipate filing a separate stipulation and proposed order thereon for  
16 continuances of those hearings

17 **C. Cash Collateral**

18 10. The Debtor has shared a cash collateral budget with the Committee, and, after  
19 receiving Committee input, intends to file it with the Court.

20 **D. Pending Motions and Applications**

21 11. The estate’s professionals’ fee application are currently set for hearing at 2:00  
22 p.m. on November 30, 2022. ECF 353, 357, 358. The parties have agreed and are requesting  
23 that these hearings be continued to December 14, 2022, at 2:00 p.m.

24 12. The Debtor anticipates that one more fee application for its tax accountant will be  
25 filed by no later than November 23, 2022, and also set for hearing on December 14, 2022, at  
26 2:00 p.m.

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1                   **E. Estate Professionals**

2                   13. The Debtor retained Levene, Neale, Bender, Yoo & Golubchik L.L.P as its general  
3                   bankruptcy counsel. ECF 80, 90.

4                   14. The Debtor retained Holthouse, Carlin & Van Trigt LLP as its accountant. ECF  
5                   94, 134.

6                   15. The Committee retained Kelley, Drye & Warren LLP as its bankruptcy counsel.  
7                   ECF 210, 244.

8                   16. The Committee retained Emerald Capital Advisors as its financial advisor. ECF  
9                   280, 303.

10                  Dated: November 18, 2022

11                  ESCADA AMERICA LLC

12                  By: /s/ John-Patrick M. Fritz  
13                   JOHN-PATRICK M. FRITZ  
14                   LEVENE, NEALE, BENDER,  
15                   YOO & GOLUBCHIK L.L.P.  
16                   Attorneys for Chapter 11  
17                   Debtor and Debtor in Possession

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**DECLARATION OF KEVIN WALSH**

I, Kevin Walsh, hereby declare as follows:

1. I have personal knowledge of the facts set forth below and, if called to testify, would and could competently testify thereto.

2. I am the Director of Finance for Escada America LLC, a Delaware limited liability company. (the “Debtor”), the debtor and debtor in possession in this chapter 11 bankruptcy case.

3. I am an experienced finance professional, having worked for the Debtor since 2016 and with prior work experience at Fortune 500 companies including Johnson & Johnson (Controller/Director) and Pfizer (Finance Director).

4. I have reviewed and am familiar with and am knowledgeable about the books and records of the Debtor, which books and records are made in the regular practice of business, kept in the regular course of business, made by a person with knowledge of the events and information related thereto, and made at or near the time of events and information recorded.

5. I make this declaration in support of the status report (the “Status Report”) to which it is attached.

6. I have read and reviewed all of the information provided in the Status Report, and the information provided in the Status Report is true, correct, and accurate.

I declare and verify under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed on this 18th day of November 2022, at Florham Park, New Jersey.

Kevin J Walsh

Kevin Walsh, Declarant

## 1 PROOF OF SERVICE OF DOCUMENT

2 I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business  
3 address is 2818 La Cienega Avenue, Las Angeles, CA 90034

4 A true and correct copy of the foregoing document entitled **CHAPTER 11 STATUS REPORT;**  
**DECLARATION OF KEVIN WALSH IN SUPPORT** will be served or was served (a) on the judge in  
5 chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

6 **1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to  
7 controlling General Orders and LBR, the foregoing document will be served by the court via NEF and  
8 hyperlink to the document. On **November 18, 2022**, I checked the CM/ECF docket for this bankruptcy  
9 case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice  
10 List to receive NEF transmission at the email addresses stated below:

11  Service information continued on attached page

12 **2. SERVED BY UNITED STATES MAIL:** On **November 18, 2022**, I served the following persons and/or  
13 entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true  
14 and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and  
15 addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be  
16 completed no later than 24 hours after the document is filed.

17  Service information continued on attached page

18 **3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR**  
19 **EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR,  
20 on **November 18, 2022**, I served the following persons and/or entities by personal delivery, overnight  
21 mail service, or (for those who consented in writing to such service method), by facsimile transmission  
22 and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or  
23 overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

24  Service information continued on attached page

25 I declare under penalty of perjury under the laws of the United States of America that the foregoing is  
true and correct.

19 The Honorable Sheri Bluebond 20 United States Bankruptcy Court 21 Central District of California 22 Edward R. Roybal Federal Building and Courthouse 23 255 E. Temple Street, Suite 1534 / Courtroom 1539 Los Angeles, CA 90012	24	25
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26 **November 18, 2022**

27 Jason Klassi

28 /s/ Jason Klassi

Date

Type Name

Signature

1

2

**2:22-bk-10266-BB Notice will be electronically mailed to:**

3

Dustin P Branch on behalf of Creditor The Macerich Company  
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Eric S Pezold on behalf of Creditor Escada Sourcing and Production, LLC

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10 Eric R Wilson on behalf of Creditor Committee Official Committee Of Unsecured Creditors  
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